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May 1, 2020

VIA ECF

The Honorable Judge Phillip Halpern
United States District Judge
Daniel Patrick Moynihan
United State Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *Indig, et al v. Village of Pomona, Case No. 18-cv-10204 (PH)*
Our File No.: 12741.00086

Dear Judge Halpern:

We represent defendants, Brett Yagel, Louis Zummo, Leon Harris and Doris Ulman in this action. We write in response to plaintiffs' May 1, 2020 correspondence to the Court, which contains many baseless allegations regarding discovery in this action. There was a recent and unexpected change in counsel for the Village. We had hoped to discuss the impact of this change with plaintiffs' counsel this morning, during a previously scheduled meet and confer call. Plaintiffs' counsel; however, unilaterally cancelled the call and wrote to the Court instead.

As the Court is aware, a Confidentiality Agreement was recently signed by plaintiffs' counsel on April 21, 2020. We were preparing to produce documents as scheduled when we were notified that Morris Duffy's office was being substituted as counsel for the Village of Pomona in this action. The change in counsel was precipitated by the recent filings in the *TAL Properties of Pomona, LLC and Avrohom Manes v. Village of Pomona, et. al* (19-cv-06838)(PMH) action. Incoming attorneys for the Village of Pomona entered Notices of

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Appearance, yesterday, April 30, 2020.

Immediately upon being notified of the change in counsel this week, we consulted with Morris Duffy's office. The document production has been provided to Morris Duffy's office for their review. By letter dated May 1, 2020, they have requested a brief adjournment to review it. We are collaboratively working with the Village's new counsel to produce discovery as expeditiously as possible, while affording them with a reasonable opportunity to review the voluminous documentation. We look forward to speaking with the Court on Monday, May 4, 2020.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

A handwritten signature in dark ink, appearing to read 'Janine A. Mastellone', followed by a long horizontal flourish.

Janine A. Mastellone

Cc: Albert Levy, Esq., (by ECF)

Kenneth Pitcoff, Esq., (by ECF)

Jonathan Tand, Esq., (by ECF)

Michael Czolacz, Esq., (by ECF)